



U.S. Department of Justice

Criminal Division

Washington, D.C. 20530

March 13, 2006

Ms. Marlene H. Dortch
Federal Communications Commission
445 12th St. SW, Room TW-B204
Washington, DC 20554

Re: Birch Telecom Inc., Debtor-in-Possession.
WC DK No.06-45, DA 06-482
ITC-ASG-20060221-00111
ITC-ASG-20060221-00112
ITC-ASG-20060221-00113
ITC-ASG-20060221-00114
ITC-ASC-20060221-00115
ITC-ASG-20060221-00116
Domestic and International Section 214 Applications for Consent to the Assignment of
Birch Telecom Inc., Debtor-in-Possession and its subsidiaries to the newly organized
Birch Telecom ("New Birch") pursuant to the Third Amended Joint Reorganization Plan

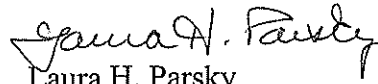
Dear Ms. Dortch:

The Department of Justice ("DOJ"), including the Federal Bureau of Investigation ("FBI"), with the concurrence of the Department of Homeland Security ("DHS"), requests that the Federal Communications Commission (Commission) defer action on the applications of Birch Telecom, Inc. to assign domestic and international authorizations under section 214 of the Telecommunications Act of 1934 to New Birch until such time as DOJ, FBI, and DHS (i) notify the Commission that potential national security, law enforcement, and public safety issues raised by the application have or have not been resolved, and (ii) on that basis, request appropriate action by the Commission. Necessarily, DOJ, FBI, and DHS also request that the Commission remove the application from streamlined processing.

After receiving notice of the application, DOJ, FBI, and DHS have been in contact with the Applicants to request additional information relating to national security, law enforcement, and public safety concerns. DOJ, FBI, and DHS will advise the Commission promptly upon completion of our review.

Thank you for your consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read "Laura H. Parsky". The signature is fluid and cursive, with the first name "Laura" being more prominent.

Laura H. Parsky
Deputy Assistant Attorney General
United States Department of Justice
Criminal Division

cc: Birch Telecom, Inc.
Best Copy and Printing
Tracey Wilson-Parker
Adam Kirschenbaum
Susan O'Connell
James Bird
George Li